IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.24235 of 2008
PARMATMA MISTRI @ PARMATMA SHARMA
Versus
STATE OF BIHAR
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3. 23.09.2008 Heard learned counsel for the petitioner and the State.

Petitioner is an accused in a case for the offence registered under Sections 417, 420 and 465 of the Indian Penal Code.

The allegation against the petitioner is that he deceitfully received the money from the complainant to the tune of Rs. 42,000/- for business purpose, however, nothing was done nor money was returned to the complainant.

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Learned counsel for the petitioner submits that money was returned to the complainant for which receipt has been annexed as annexure-2. On the other hand, learned counsel for the complainant submits that the same is forged, as the witness who is alleged to have signed the receipt, had already died by that time.

Learned counsel for the petitioner today filed supplementary affidavit annexing a copy of the Death Certificate showing that the witness who is alleged to have signed over the said receipt, was alive. As a matter of fact, he died on 17.06.2007 as would

appear from the Death Certificate contained in Annexure-2.

Learned counsel for the State opposes the prayer stating that in view of the serious dispute and having specific allegation against the petitioner, he does not deserve anticipatory bail.

Considering the above, I am not inclined to grant bail to the petitioner. Accordingly, the same is rejected.

Jagdish/- **(Shailesh Kumar Sinha,J.)**

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